

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, STATES OF CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, HAWAII, ILLINOIS, INDIANA, IOWA, LOUISIANA, MICHIGAN, MINNESOTA, MONTANA, NEVADA, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, OKLAHOMA, RHODE ISLAND, TENNESSEE, TEXAS, VERMONT, AND WASHINGTON; THE COMMONWEALTHS OF MASSACHUSETTS AND VIRGINIA; and THE DISTRICT OF COLUMBIA,

*ex rel.* ZACHARY SILBERSHER,

Plaintiffs,

vs.

JANSSEN BIOTECH, INC., JANSSEN ONCOLOGY, INC., JANSSEN RESEARCH & DEVELOPMENT, LLC, JOHNSON & JOHNSON, and BTG INTERNATIONAL

Defendants.

Civil Action No. 19-12107 (KM)(JBC)

Hon. Kevin McNulty, U.S.D.J.

**ORDER GRANTING JOINT  
MOTION TO DISMISS BY  
DEFENDANTS JANSSEN BIOTECH,  
INC., JANSSEN ONCOLOGY, INC.,  
JANSSEN RESEARCH &  
DEVELOPMENT, LLC, JOHNSON &  
JOHNSON, and BTG  
INTERNATIONAL LIMITED**

THIS MATTER having been brought before the Court on the joint motion of Defendants Janssen Biotech, Inc., Janssen Oncology, Inc., Janssen Research & Development, LLC, Johnson & Johnson, and BTG International Limited (collectively, “Defendants”), for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the Second Amended Complaint with prejudice; and the Court having considered the submissions of the parties, and the arguments of the counsel, if any; and for good cause shown,

IT IS, on this \_\_\_\_\_ day of \_\_\_\_\_ 2019,

ORDERED that Defendants’ Joint Motion to Dismiss is GRANTED; and it is further

**ORDERED** that the Second Amended Complaint is hereby **DISMISSED WITH PREJUDICE** as against Defendants.

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HON. KEVIN MCNULTY, U.S.D.J.